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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Kimihiro MAEMURA

Group Art Unit: 2814

Application No.: 10/782,974

Examiner: H. PHAM

Filed: February 23, 2004

Docket No.: 118805

For: NONVOLATILE SEMICONDUCTOR MEMORY DEVICE

TERMINAL DISCLAIMER--COPENDING APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your Petitioner, Seiko Epson Corporation, represents that it is the owner of a 100% interest in the above-captioned patent application by virtue of an Assignment filed May 12, 2005 and recorded at Reel 016215, Frame 0823. The undersigned also certifies that he is empowered to execute this Terminal Disclaimer on behalf of the assignee.

Your Petitioner hereby disclaims the terminal part of the statutory term of any patent granted on the above-captioned application, which would extend beyond the expiration of the full statutory term as presently shortened by any Terminal Disclaimer, of any U.S. Patent to issue on copending U.S. Patent Application No. 10/782,975 and hereby agrees that any patent so granted on the above-captioned application shall be enforceable only for and during such period that the legal title to said U.S. Patent shall be the same as the legal title to any patent issuing from the above-captioned application, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned application prior to the expiration of the full statutory term as presently shortened by any Terminal Disclaimer of said U.S. Patent in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any Terminal Disclaimer.

Check No. 174240 in the amount of ☒ \$130.00 (large entity) or ☐ \$65.00 (small entity) is attached in accordance with 35 U.S.C. §41(a)(5). The U.S. Patent and Trademark Office is authorized to debit Deposit Account No. 15-0461 in the amount necessary to effect filing of this Terminal Disclaimer. 12/19/2005 JH0001 00000042 10/82974 01 FC:1014 130.00 00

DATE: December 16, 2005

SIGNED:

TYPED NAME:

TITLE OR REGISTRATION
NO. OF ATTORNEY OF
RECORD:

Thomas J. Pardini

Thomas J. Pardini

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